IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

Crl.MC.No. 2335 of 2007()

AGAINST THE JUDGEMENT/ORDER IN CRRP.1210/2007
ST.2723/2004 of JUDL.MAGISTRATE OF FIRST CLASS, SULTHANBATHERY

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PETITIONER:

V.J. SCARIA, AGED 70 YEARS,
S/O. OUSHEPH, VELLAPALLIYIL VEEDU, VELIYAMBAM,
PULPALLY, WAYANAD.

BY ADV. SRI.RAFFEEKH.K

RESPONDENTS:

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1. K.R. SEBASTIAN, S/O. RAPPAI,
PUTHOOR HOUSE, MEENANGADI P.O., MAILAMBADI,
S.BATHERY, WAYANAD.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.2335 of 2007

Dated this the 20th day of July 2007

O R D E R

In the peculiar facts and circumstances of this case, I accept the request of the learned counsel for the petitioner to pay an amount of Rs.60,000/- on 28/7/2007 and to pay the balance amount by 28/8/2007.

2. This petition is allowed in part to the above extent. The substantive sentence of imprisonment for one day shall be construed by the learned Magistrate as a sentence of imprisonment till rising of court, it is clarified.

Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007